



General Assembly

Amendment

February Session, 2014

LCO No. 4146

SB0018604146HRO

Offered by:
REP. SAMPSON, 80th Dist.

To: Senate Bill No. 186

File No. 58

Cal. No. 416

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING DISPENSATION AND INSURANCE
COVERAGE OF A PRESCRIBED DRUG DURING REVIEW OF AN
ADVERSE DETERMINATION OR A FINAL ADVERSE
DETERMINATION."**

1 Strike subparagraph (C) of subdivision (1) of subsection (b) of
2 section 1 in its entirety and insert the following in lieu thereof:

3 "(C) If the review under subparagraph (A) of this subdivision is a
4 review of a grievance involving a prospective review request relating
5 to the dispensation of a drug, other than a schedule II or III controlled
6 substance, prescribed by a licensed participating provider, the health
7 carrier shall issue immediate electronic authorization to the covered
8 person's pharmacy for the dispensation of a one-time fourteen-day
9 supply of such drug. Such authorization shall include confirmation of
10 the availability of payment for such supply of such drug. The
11 provisions of this subparagraph shall not apply to a grievance or
12 review of an adverse determination under this section concerning the

13 substitution of a generic drug or another brand name drug for a
14 prescribed brand name drug unless the prescribing licensed
15 participating provider has specified that there shall be no substitution
16 for the specified brand name drug. Nothing in this subparagraph shall
17 be construed to apply to any drug prescribed for the treatment of a
18 disease or condition for which the drug has not been approved by the
19 federal Food and Drug Administration."

20 Strike subdivision (4) of subsection (c) of section 2 in its entirety and
21 insert the following in lieu thereof:

22 "(4) If the review under subdivision (1) of this subsection is a review
23 of a grievance involving an adverse determination of a prospective
24 review request relating to the dispensation of a drug, other than a
25 schedule II or III controlled substance, prescribed by a licensed
26 participating provider, the health carrier shall issue immediate
27 electronic authorization to the covered person's pharmacy for the
28 dispensation of a one-time fourteen-day supply of such drug. Such
29 authorization shall include confirmation of the availability of payment
30 for such supply of such drug. The provisions of this subdivision shall
31 not apply to a grievance or review of an adverse determination under
32 this section concerning the substitution of a generic drug or another
33 brand name drug for a prescribed brand name drug unless the
34 prescribing licensed participating provider has specified that there
35 shall be no substitution for the specified brand name drug. Nothing in
36 this subdivision shall be construed to apply to any drug prescribed for
37 the treatment of a disease or condition for which the drug has not been
38 approved by the federal Food and Drug Administration."